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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,974	01/11/2005	Takehiko Nakano	09812.0204	6460
22852	7590	08/20/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER YOUSEFI, SHAHROUZ	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 08/20/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,974

Applicant(s)

NAKANO ET AL.

Examiner

SHAHROUZ YOUSEFI

Art Unit

2132

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-9 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-9 and 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: application, filed 01/11/2005; amendment filed 05/05/2008.
2. Claims 1-3, 5-9, and 11-21 are pending in the case. Claims 4 and 10 are canceled by applicant.
3. The amendment to claims 13-15 have been entered, reviewed and found to obviate previously raised rejection under 35 U.S.C. §112, first paragraph. Rejection is hereby withdrawn.

Response to Arguments

4. Applicant's arguments filed 05/05/2008 have been fully considered but are moot in view of the new ground(s) of rejection.
5. Applicant's arguments with respect to the rejection of claims 1, 7, and 13 under 102(e) using Shirakawa as being improper grounds of rejection since Shirakawa is a foreign patent, have been considered but are moot in view of the new ground(s) of rejection necessitated by the amendments. Examiner had made a typographical error, the Rejection should have been made under 35 U.S.C. § 102 (a).

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-3, 5-9 and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shirakawa (JP 2002-175224) in view of Kudo et al. (US 2003/0126243) hereinafter Kudo.

8. With respect to claim 1, Shirakawa discloses means for connecting/disconnecting (**switch part 21, see fig. 1**) the external network to/from the first home network (**a line switch part 21, fig. 1 is provided between a LAN1 as the internal network in limited meaning, and a WAN3 as the external network, abstract**); and local environment management means for causing the means for connecting/disconnecting to disconnect the first home network from the external network (**control part 21 that makes a request for connecting and disconnecting is part of the device**). Shirakawa doesn't explicitly disclose transfer of content in response to device request to router. However, Kudo discloses in response to a request for content received from the device, during at least one of transferring the content to the device (**Notification for user response** is sent to the gateway (router) by the device (Network device 200b) and in response **Notification for completion of user acknowledgement** is send back from gateway (router) to the device (Network Device 200b), figure 2) and issuing a license for the content to the device (**block 26a determines the content and sends a "permit" or "not permit" acknowledgement to the gateway device 100 through the response processing block 29a according to the input of the user, par. [0024]**). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with the content determination and acknowledgement block of Kudo to allow transfer of

content between router and home device. This will allow administer to monitor external network to prevent unauthorized access to the system.

9. With respect to claim 2, Kudo discloses a home server on the first home network for acquiring the content from the external network via the router, wherein the device requests the content from the home server **(If the similar operation is employed to connect a new device to a network, the user will be requested to perform the operation between the server or router and the terminal to be connected simultaneously or alternately, par. [0007]).**

10. With respect to claim 3, Kudo discloses two or more home servers on the first home network for providing content on the first home network **(a network system configured by a plurality of network devices, each having terminal functions, as well as at least one network connection management device having server or router functions, par. [0009]);** wherein the local environment management means temporarily disconnects the first home network from the external network **(The network connection management device is provided with decision of permission means for deciding whether to permit the connection when receiving an address setting request from the new network device, par. [0010])** during at least one of transferring content to the device and issuing a license for the content to the device from the home servers **(block 26a determines the content and sends a "permit" or "not permit" acknowledgement to the gateway device 100 through the response processing block 29a according to the input of the user, par. [0024]).**

11. With respect to claim 5, Kudo discloses the device is able to use content acquired from the home servers on the first home network and, upon connecting the device to a home server on a second home network outside the first home network, the device is unable to use content acquired from the home servers on the first home network (**Receiving the response from the network device 200b, the gateway device 100 determines the content. When the content denotes "permit", the gateway device 100 sends the necessary information to the network device...the network device 200b denotes "not permit", the gateway device 100 sends a "not permit" message to the network device 200a and cancels the display on the displaying block 7, par. [0027].**)

12. With respect to claim 6, Shirakawa discloses after completion of local communication on the first home network, or after a predetermined amount of time from a start of the local communication has elapsed, the local environment management means reconnects the first home network to the external network (**a change in the connection condition of the circuit switch section 21 and cutting condition by the control section 22 can also be carried out by the time amount which a timer clocks, par. [0030].**)

13. Claims 7-9, 11 and 12 differ from claims 1-3, 5 and 6 only in that claims 1-3, 5 and 6 are a system claim whereas, claims 7-9, 11 and 12 are a method claim. Thus, claim 7-9, 11 and 12 are analyzed as previously discussed with respect to claims 1-3, 5 and 6 above.

14. With respect to claim 13, Shirakawa discloses local environment management means for requesting disconnection of the home network from the external network **(when a control means makes a switching means a substantial cutting condition access to an internal network from an external network serves as impossible, par. [0010])**. Shirakawa doesn't explicitly disclose disconnection in response to content and issuing license. However, Kudo teaches means for receiving a request for content from a device on the home network **(the decision of permission block 4 receives a network connection request from a new network device to be connected, par. [0018])**; and, in response to the request for content, during at least at least one of transferring the content to the device and issuing a license for the content to the device **(block 26a determines the content and sends a "permit" or "not permit" acknowledgement to the gateway device 100 through the response processing block 29a according to the input of the user, par. [0024])**. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with the content determination and acknowledgement block of Kudo to prevent unauthorized access to external network.

15. With respect to claim 14, Kudo discloses the communication apparatus is a home server for providing content on the home network (at least one network connection management device having server or router functions, is provided with configuration processing means for initializing its address, notification receiving means for receiving a user's notification for user's acknowledgement from the network connection management device when a new network device is to be connected to the network,

decision of acknowledgement means for receiving a request for user's acknowledgement from the notification receiving means, par. [0009]).

16. With respect to claim 15, Kudo discloses the local environment management means requests reconnection of the home network to the external network after completion of local communication with the device (The gateway device 100 includes a communication interface 1 for connecting the system to a wireless LAN, a router processing block 2 for controlling data transfer between the wireless LAN and an external network, and an external communication interface 3 for connecting the system to an external wide-area network...the new device on the displaying block 7 to notify the user of the request, par. [0018]).

17. With respect to claim 16, Shirakawa discloses means for connecting/disconnecting the external network to/from the home network (**the switch part 21 is switched between a connected condition and a disconnected condition, abstract**); and control means for causing the means for connecting/disconnecting to disconnect the home network from the external network (control part 21 that makes a request for connecting and disconnecting is part of the device). Shirakawa doesn't explicitly disclose that it is issuing a license. However, Kudo discloses in response to a request for content received from a device on the home network (**the decision of permission block 4 receives a network connection request from a new network device to be connected, par. [0018]**), during at least one of transferring the content to the device and issuing a license for the content to the device (**block 26a determines the content and sends a "permit" or "not permit" acknowledgement to the**

gateway device 100 through the response processing block 29a according to the input of the user, par. [0024]). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with the content determination and acknowledgement block of Kudo to prevent unauthorized access to external network.

18. With respect to claim 17, Shirakawa disclose the control means disconnects the home network from the external network in response to a disconnection request from a home server on the home network that provides the content on the home network (control of a control part 22, and an access from the WAN3 to the computer 11 in the LAN1 gets impossible in the disconnected condition, abstract).

19. With respect to claim 18, Shirakawa discloses the control means cause the means for connecting/disconnecting to reconnect the home network to the external network in response to a reconnection request from a home server on the home network that provides content on the home network (it is characterized by having the control means which changes whether said switching means is made into a substantial connection condition, or it considers as a substantial cutting condition, par. [0014]).

20. With respect to claim 19, Shirakawa disclose the control means cause the means for connecting/disconnecting to reconnect the home network to the external network at predetermined time after disconnecting the home network from the external network in response to a disconnection request from a home server on the home network that provides contents on the home network (a change in the connection condition of the

circuit switch section 21 and cutting condition by the control section 22 can also be carried out by the time amount which a timer clocks, par. [0030]).

21. With respect to claim 20, Shirakawa discloses means for communicating with the external network while the home network is disconnected from the external network; and means for confirming the disconnection of the home network from the external network by accessing an external server on the external network during the disconnection (said control means shall supervise generating of the predetermined event in said internal network, and shall change whether said switching means is made into a substantial connection condition according to generating of this predetermined event, or it considers as a substantial cutting condition again, par. [0016]).

22. With respect to claim 21, Shirakawa discloses and temporarily disconnecting the external network and from the home network in response to the request (**a line switch part 21, fig. 1 is provided between a LAN1 as the internal network in limited meaning, and a WAN3 as the external network, abstract**). Shirakawa doesn't show license issuing. However, Kudo discloses receiving a request for content from the device (**the decision of permission block 4 receives a network connection request from a new network device to be connected, par. [0018]**), during at least one of transferring the content to the device and issuing a license for the content to the device (**block 26a determines the content and sends a "permit" or "not permit" acknowledgement to the gateway device 100 through the response processing block 29a according to the input of the user, par. [0024]**). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to

modify Shirakawa with the content determination and acknowledgement block of Kudo to prevent unauthorized access to external network.

Conclusion

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

24. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAHROUZ YOUSEFI whose telephone number is (571) 270-3558. The examiner can normally be reached on Monday-Thursday 9:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y./

Examiner, Art Unit 2132

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132